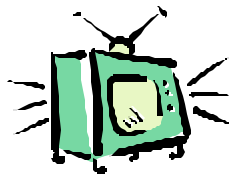


From TVX to TVMT:

A Progress Report on Implementing House Bill 144

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Introduction. TVX was an experiment in gavel-to-gavel coverage of House and Senate floor sessions in 2001. The closed circuit signal was delivered to strategically placed television sets in the capitol, and the audio portion was also streamed over the Internet to a number of state agencies. Despite a panoply of technical difficulties that plagued the project early on, the experiment ultimately worked: the Legislature passed and the Governor signed House Bill No. 144 (Chapter 557, Laws of 2001) into law. As a consequence, the Legislative Services Division now has a statutory mandate to:

- develop and issue a Request for Proposals (RFP) for the provision of gavel-to-gavel production services in the next Legislative Session;
- establish selection criteria, evaluate proposals, and execute a contract with a nonprofit entity to produce these services;
- work with executive and judicial branch officials toward complementary, unedited coverage of their respective activities; and
- in league with the chosen contractor, develop and implement a plan to provide the maximum attainable distribution of broadcasts to the citizens of Montana.

HB 144 authorizes the expenditure of to \$1.3 million, which is an acknowledgment of the estimated cost of outfitting the capitol with the technical capacity (approx. \$1 million) and funding a production services contract (\$300k) to fulfill the goals of establishing a "broadcasting" service that will provide unedited, unfiltered coverage of all three branches of government throughout the year to television audiences statewide and to state employees' and others' computer workstations via streaming on the Internet. In lieu of an appropriation of this magnitude, the bill provides for a \$60,000 loan against the general fund, and raises the lobbyist registration fee from \$50 to \$150 to capitalize the loan. The division is charged with the responsibility for seeking grants, gifts, donations, and in-kind contributions from private and public sources to purchase equipment and fund a contract for production services.

The Council's statutory obligation is to assist the Division in exercising oversight of the contract and to ensure that broadcasts conform with style and quality guidelines set forth in the law. More generally, the Council is the governing authority with respect to what programming projects and ideas will ultimately be produced and presented to the public.

Staff Perspective. Growing TVX out of the laboratory and into our living rooms will take a successful fundraising campaign within a short timespan; that means good timing, a good pitch, some innovative ideas, and, not least, timely cooperation and assistance from legislative leaders and other VIPs in state government. Economic conditions in the state as well as competition for scarce financial resources are meaningful factors to contemplate all the while. More specifically, several of the large industrial firms to which this funding appeal will be made are experiencing financial distress. At the same time, the Friends of Montana Public Television are about to launch a capital campaign to raise nearly \$10 million by June, 2003 to broaden Montana PBS over-the-air broadcasts and pay for the upgrade to digital (DTV) required by the Federal Communication Commission. The Friends' list of prospective donors and my list are in many respects the same: we're after the same wallets, and we're looking at the same calendar.

Other observations at this juncture are as follows:

- HB 144 anticipates a million dollar plus outcome with a \$60k general fund loan. This small cache of "seed money" must be used judiciously to leverage larger amounts and to ensure that the 2003 session will be covered.
- While gavel-to-gavel coverage is a noncommercial format, there is economic value in what is essentially a public service. Demand for the videotape "records" is high, and the capacity to reproduce them will help cover operational costs. (This brings into focus a policy challenge regarding the integrity of the product, discussed below.)
- There is considerable interest among the telecommunications industry and related private sector entities in assisting the further evolution of the state public affairs broadcasting endeavor. One reason is that TVMT would be another reason for consumers to obtain high-speed Internet service; for cable TV providers, this would be a stream of public interest programming that is not available from commercial satellite companies. Still, while the tax deductibility of contributions to state government should help, the tangible benefits or returns on an investment to industry participants are speculative at best.
- Donors are more likely to contribute to infrastructure and equipment needs than to operational funding. They can be acknowledged in many ways, including on-screen credits/attributions similar to those that PBS provides its corporate underwriters.
- Prudence dictates a phased approach to implementation, with provision for "fall-back" positions, e.g., use of a mobile unit to cover key hearings in the event there is not enough money to install robotic cameras in the old Supreme Court chamber (Room 303) and the wired hearing rooms (102; 137; 152; 172; 405; 317).

Elements of an Action Plan. I am approaching the required tasks in phases, which are outlined in chart form below. I got an inspirational jump-start by attending a meeting of the State Public Affairs Television group (SPAT) in Chicago. Denny Heck from TVW chairs this group, which meets every other year in conjunction with a major Cable TV convention, and now involves over a dozen states. Since then, I have sought advice from a large number of lobbyists, foundation board members, agency

staff, and others on how best to approach prospective contributors. I have also purchased some production components, to enable experimental, tape-delayed coverage of interim committees and other governmental activities, and to make a short video sampler for fundraising and public relations purposes. For the remainder of the calendar year, I will be attempting to accomplish the following:

- ? Convene meetings with telecommunications companies, Community Access station managers, and state agency executives to discuss and plot out various funding and distribution options.
- ? Research and query private foundation and federal grant sources.
- ? Procure and install audio speakers and several additional TVs in key locations.
- ? Midway in the interim, offer limited coverage (perhaps for a cost-of-service fee) to Interim Committees.
- ? Solicit programming from Montana agencies (e.g. Historical Society, FWP, National Guard) as well as from other states and relevant national sources.
- ? Establish a working liaison with Montana PBS, a likely distributor in the future, when it achieves digital conversion.
- ? Pursue working relationships with Chief Justice Gray and her judicial colleagues, the Attorney General, Sherry Meador and others in the Justice Department, the Governor's Office, the Public Service Commission, and Secretary of State Bob Brown.

As the timeline below indicates, I will be crafting a Request for Proposals (RFP) for production services, with assistance from the Department of Administration's procurement division. Following the proposal election process, a contract will need to be awarded by mid-Autumn, to ensure that system components can be tested and a production crew can be trained . We want a high quality operation in place on Day 1 of the 2003 Legislative Session.

I am undertaking a needs assessment of the capitol "cable plant". How many robotic cameras and how much associated electronics in the master control facility (aka the "head end") will suffice? How can we achieve effective audio system integration? What is the best technology for speakers in the lobbyists' alleyways on the 3rd floor? How many additional TV monitors are needed, and where? (In addition, how can we get affordable cable TV or satellite service to the building?) To do a proper job of this, I will need to hire the services of a technically qualified person or firm; in all likelihood this will be an equipment vendor.

With regard to transmission and distribution of programming to the public, I have gained assurance through a local government franchise agreement that AT&T Broadband will provide a a fiber optic connection to the cable head-end in Helena within a year. (The connection will require purchase of some laser transmitters in our own master control facility.) I am working on various methods of sharing this program stream with Community Access stations in Billings, Great Falls, Missoula, and Kalispell, as well as with Montana PBS. Absent a technological link between these communities, this may result in a primitive mode of distribution: mailing videotapes. Broader distribution may be achievable through the VisionNet system or by satellite uplink. I am undertaking a comparative analysis of options.

Provisional Timeline:

	Principal Activities	Associated Tasks
July - Sept. 2001	R&D; Fundraising strategy	Mobile equip. purchases; Public Relations
October- Dec.	Fundraising campaign: correspondence & presentations	Assemble equipment lists & prices; Produce video sampler(s); Cover select Interim Committees;
Jan. - March 2002	Craft & Issue RFP; continue with fundraising	Produce/develop short documentary features
April - June	Review proposals; Installation of cameras & related equipment	Continue committee coverage; negotiate/collaborate with Exec. & Judicial branch agencies
July - Sept.	Same as above	Same as above
October - Dec.	Award services contract to qualified operator	Testing of equipment and training of contractor crew
Jan. - April 2003	Cover hearings and floor debate during leg. session	Develop organizational/funding plan for continuation/expansion of TVMT

Financing the Infrastructure upgrade. I have assembled a list of the usual prospects: firms, foundations, associations, and philanthropists. My first step off the page has been to solicit advice from a wide array of counselors in private and public sectors. The Secretary of State, who has agreed to facilitate a meeting with prospective donors later this fall, and the directors of several large, statewide associations may be willing to co-sign letters of endorsement for the project. I have had a meeting with the station managers and the development director at Montana PBS, and we have agreed to stay in touch to avoid unintended collisions on the fundraising pathways. A plan is taking shape: Itemize the needs, with good price estimates, and illustrate how contributions and donations can be acknowledged; i.e., explain the type of unmeasurable but not insignificant rewards companies and trade associations can expect as underwriters, sponsors, and donors. Create several categories of opportunity, for large and smaller-scale contributions. (For example, outfitting the old Supreme Court hearing room (303) with 2-3 robotic cameras will cost X; a 2-camera setup in Hearing Room 405 will cost Y.) In addition, I am getting valuable assistance from Hank Trenk and Dept. of Administration Information Technology staff to build a budget for Internet streaming (with archiving of the audio portion of hearings and floor sessions) for a 2-year period.

Most of the funding ideas to date fall within these general categories:

- Enhanced Underwriting (brief spots between programs)
- Corporate sponsorship of events, programs, series, and equipped hearing rooms
- TVMT as a means of generating more demand for fiber optic connectivity
- Golf tournaments & celebrity roasts

A more specific concept on the back burner would bring citizens themselves into the picture as stakeholders. I call it "Round-Up for TVMT", whereby cable customers voluntarily contribute to TVMT by "rounding up" their cable bill to the next dollar.

Total cost estimates are in flux. Equipment costs are coming down. Thinking ahead to the 2003 biennium, the big question is whether the legislature will appropriate funds for continued operation.

Expending the appropriation. I am currently obtaining bids on equipment for a small portable production unit (approx. \$25,000) to capture Interim committee activities and facilitate field production on and off the capital complex "campus". I have purchased a stand-alone, turnkey digital editing machine (\$1895) to enable me to produce program sample tapes for use as public relations and fundraising tools and to offer community access channels as educational previews of things to come. I will probably need to contracting for a thorough technical analysis of the infrastructure needs. The cost is unknown, but may be folded into a major purchase of cameras and other equipment. I will buy a laser transmitter (\$1200) to accommodate fiber link to AT&T head end in Helena. At this juncture, it seems prudent to sequester about half of the \$60,000 general fund loan "cash" as a hedge against potential difficulties in raising capital, to ensure that a limited services contract for the 2003 session will be funded.

Developing Content. I am working on several short pieces to engage potential funders outside Montana, and to set the stage for programs that will complement gavel-to-gavel coverage. The first two of these in "in development", the third is a "Comp time" funded side project that will be completed by Autumn, 2002, and the remainder are longer-term prospects. All 5 are original "made in Montana" documentaries with export potential:

The Jazz Session - A music video of the legislative process that likens it to jazz music--a snappy, swinging, syncopated alternative to the image of the Legislature as a sausage factory. (Will request assistance from NCSL).

The Citizen Legislator - An inside look at the character of our Western American institution, capturing the views of freshmen, leadership, and termed -out veterans. (A 3-part series; will request funding from one or more private foundations.)

Big Sky/Silk Road - Documents the flowering of a military-to-military exchange program between the Montana National Guard and the Kyrgyz army under the auspices of Nato's Partnership for Peace into a broader humanitarian assistance project with mutual cultural and

economic development potential.

The Federalist Tapes - Federal-state relations are a perennial concern in Montana and throughout the West. Will approach the Council of State Governments for series funding.

Global Positioning - An analysis of Montana in a regional, transnational setting to cast light on state participation in the Pacific Northwest Economic Region (PNWER), the Montana-Alberta Bilateral Advisory Committee (MABAC), and the Leg.Council on River Governance.

Public Relations. I will be using the Interim newsletter and a new, TVMT web page attached to the Legislative home page and dedicated to TVMT to keep interested persons abreast of our progress. I hope to make presentations to civic groups and service clubs, as well as bipartisan interest groups such as AARP and the League of Women Voters. Good relationships with the print media, KUFM (Missoula) and Yellowstone Public Radio (Billings), and the commercial TV crews that work in the capitol will also help get the word out about TVMT. Legislators could add value to this effort in many ways.

Policy Concerns. Aside from funding, my greatest anxiety is connected to the need to preserve the integrity of TVMT products, most notably the videotapes of gavel-to-gavel hearings and floor sessions. This material could be digitally sliced and diced by third parties to serve partisan ends, and such abuses would undermine the value of gavel-to-gavel coverage. I am researching legal (e.g. copyright) and technological ("branding" or encrypting the tapes) means of minimizing this risk. More generally, politicization of TVMT programming must be avoided, and this will be tricky in some instances. For example, my proposal to cover state Land Board meetings aroused concerns about the board members seizing opportunity to trumpet partisan positions and criticisms to a big new audience.

On another front, because this project requires private sector start-up funding, it will be tempting from time to time to push enhanced underwriting and corporate sponsorships over the edge and into the abyss of ethically distasteful tackiness. For example, my idea of putting small plaques in hearing rooms to acknowledge donors was anathema to Denny Heck (TVW) and others in the SPAT group.

Conclusion. HB 144 is enabling legislation for the capture and delivery of a steady stream of state government proceedings to the interested public. The bill allows us to envision the evolution of a closed circuit experiment (TVX) into a state public affairs TV and Internet "network" (TVMT), anchored within the Legislative branch, but incorporating activities of the executive and judicial branches as well. The most ambitious and optimistic outcome of this endeavor would be to cover the Legislature in depth and detail beginning January, 2003 and continuing over the subsequent interim, with statewide distribution. A possibly more realistic result of this interim's work would have enough capacity funded and in working order prior to the next session to allow limited coverage that is distributed to some cable TV markets and provides a compelling basis for state-funded expansion. In any event, I will need legislators' help in securing funding support from the private sector.

FADE TO BLACK...